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**UNITED STATES BANKRUPTCY COURT
SOUTHERN DISTRICT OF NEW YORK**

In re:

SIZMEK INC., *et al.*,¹

Debtors.

)
) Chapter 11
)
) Case No. 19-10971 (SMB)
)
) (Jointly Administered)
)

**AGENDA FOR HEARING TO BE HELD
MAY 16, 2019 AT 10:00 A.M. (PREVAILING EASTERN TIME)**

Time and Date of Hearing: May 16, 2019 at 10:00 a.m. (ET)

Location of Hearing: U.S. Bankruptcy Court
Courtroom 723
One Bowling Green
New York, NY 10004

Copies of Motions and Applications

Copies of each pleading identified below can be viewed and/or obtained (i) from the Debtors' proposed claims and noticing agent, Stretto, at <https://cases.stretto.com/sizmek> or (ii) by accessing the Court's website at www.nysb.uscourts.gov.

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor's federal tax identification number, include: Sizmek Inc. (4624); Point Roll, Inc. (3173); Sizmek DSP, Inc. (2319); Sizmek Technologies, Inc. (6402); Wireless Artist LLC (0302); Wireless Developer, Inc. (9686); X Plus One Solutions, Inc. and (8106); X Plus Two Solutions, LLC (4914). The location of the Debtors' service address for purposes of these chapter 11 cases is: 401 Park Avenue South, 5th Floor, New York, NY 10016.

A. Uncontested Matters

- 1. Cash Collateral Motion.** Debtors' Motion for the Entry of Interim and Final Orders (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363; and (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 14].

Objection Deadline: May 9, 2019 at 4:00 p.m. (ET) (which deadline was extended to May 14, 2019 at 12:00 p.m. (ET) for the Official Committee of Unsecured Creditors by agreement with Debtors).

Responses Received: None.

Related Documents:

- a. Declaration of Sascha Wittler, Chief Financial Officer of Sizmek Inc., (I) in Support of Chapter 11 Petitions and (II) Pursuant to Local Rule 1007-2 [Docket No. 13].
- b. Supplemental Declaration of Sascha Wittler, Chief Financial Officer of Sizmek Inc., (I) in Support of Chapter 11 Petitions and (II) Pursuant to Local Rule 1007-2 [Docket No. 54].
- c. Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, and (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001 [Docket No. 37].
- d. Second Interim Order (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363, (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and (III) Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 104].
- e. Notice of Hearing [Docket No. 107].
- f. Memorandum Endorsed Order Signed 5/9/2019, Re: Granting Extension Request [Docket No. 164].
- g. Certificate of No Objection Regarding Debtors' Motion for the Entry of Interim and Final Orders (I) Authorizing the Debtors to Use Cash Collateral Pursuant to 11 U.S.C. § 363; and (II) Granting Adequate Protection Pursuant to 11 U.S.C. §§ 361, 362, 363, and 507, and Scheduling a Final Hearing Pursuant to Bankruptcy Rule 4001(b) [Docket No. 167].

Status: The Debtors filed a Certificate of No Objection [Docket No. 167] and respectfully request that the Court enter the proposed order attached thereto. No hearing is required unless the Court has questions or concerns.

2. **Cooley Committee Retention Application.** Application of the Official Committee of Unsecured Creditors for Entry of an Order Authorizing the Employment and Retention of Cooley LLP as Counsel *Nunc Pro Tunc* to April 17, 2019 [Docket No. 149].

Objection Deadline: May 9, 2019 at 4:00 p.m. (ET).

Responses Received: None.

Related Documents: None.

Status: This matter is going forward.

3. **Province Committee Retention Motion.** Application of the Official Committee of Unsecured Creditors for Entry of an Order Authorizing the Employment and Retention of Province, Inc. as Financial Advisor *Nunc Pro Tunc* to April 17, 2019 [Docket No. 150].

Objection Deadline: May 9, 2019 at 4:00 p.m. (ET).

Responses Received: The Committee received informal comments from the Office of the United States Trustee, which have been addressed by modifications to the proposed form of order that will be presented to the Court at or prior to the hearing on the motion.

Related Documents:

- a. Supplemental Declaration of Carol Cabello of Province, Inc. in Support of Application to Employ and Retain Province, Inc. as Financial Advisor to the Official Committee of Unsecured Creditors of Sizmek Inc., *et al.*, *Nunc Pro Tunc* to April 17, 2019 [Docket No. 156].

Status: This matter is going forward.

4. **Ordinary Course Professionals Motion.** Debtors' Motion for Entry of an Order Authorizing the Retention and Compensation of Professionals Utilized in the Ordinary Course of Business [Docket No. 151].

Objection Deadline: May 9, 2019 at 4:00 p.m. (ET).

Responses Received: Debtors have received informal responses from certain parties in interest, which responses have been addressed by modifications to the proposed form of order that will be presented to the Court at or prior to the hearing on the motion.

Related Documents:

- a. Certificate of No Objection Regarding Debtors' Motion for Entry of an Order Authorizing the Retention and Compensation of Professionals Utilized in the Ordinary Course of Business [Docket No. 166].

Status: The Debtors filed a Certificate of No Objection [Docket No. 166] and respectfully request that the Court enter the proposed order attached thereto. No hearing

is required unless the Court has questions or concerns.

5. **Assumption and Rejection Procedures Motion.** Debtors' Motion for Order Pursuant to Bankruptcy Code Sections 105, 365, and 554, Bankruptcy Rules 6006 and 9014, and Local Bankruptcy Rule 6006-1 Authorizing and Approving Expedited Procedures for Rejection and Assumption of Executory Contracts and Unexpired Leases and Granting Related Relief [Docket No. 152].

Objection Deadline: May 9, 2019 at 4:00 p.m. (ET).

Responses Received: None.

Related Documents:

- a. Certificate of No Objection Regarding Debtors' Motion for Order Pursuant to Bankruptcy Code Sections 105, 365, and 554, Bankruptcy Rules 6006 and 9014, and Local Bankruptcy Rule 6006-1 Authorizing and Approving Expedited Procedures for Rejection and Assumption of Executory Contracts and Unexpired Leases and Granting Related Relief [Docket No. 168]

Status: The Debtors filed a Certificate of No Objection [Docket No. 168] and respectfully request that the Court enter the proposed order attached thereto. No hearing is required unless the Court has questions or concerns.

6. **Stay Relief Motion.** Debtors' Motion for Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362(d) to Resolve State Court Litigation and Make Settlement Payment Solely from Insurance Proceeds [Docket No. 153].

Objection Deadline: May 9, 2019 at 4:00 p.m. (ET).

Responses Received: None.

Related Documents:

- a. Certificate of No Objection Regarding Debtors' Motion for Relief from the Automatic Stay Pursuant to 11 U.S.C. § 362(d) to Resolve State Court Litigation and Make Settlement Payment Solely from Insurance Proceeds [Docket No. 169].

Status: The Debtors filed a Certificate of No Objection [Docket No. 169] and respectfully request that the Court enter the proposed order attached thereto. No hearing is required unless the Court has questions or concerns.

Dated: May 14, 2019
New York, New York

/s/ Steven J. Reisman

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